

DECLARATION OF SPECIAL AGENT HILARY RICKHER

I, HILARY RICKHER, do hereby declare:

BACKGROUND AND EXPERIENCE

1. I am a Special Agent with the U.S. Food and Drug Administration – Office of Criminal Investigations (FDA-OCI) and have been since September 2010. My current assignment includes conducting criminal investigations involving violations of the Federal Food, Drug and Cosmetics Act (21 U.S.C. §§ 301 et seq.) and other related federal crimes. Prior to my employment with FDA-OCI, I was a Postal Inspector with the United States Postal Inspection Service (USPIS), beginning in 2005. Prior to my employment with the USPIS, I was a Senior Patrol Agent with the United States Border Patrol, beginning in 2002. During my more than 20 years as a federal agent, I have conducted and/or participated in numerous criminal investigations involving violations of the federal mail fraud statute, drug and device distribution and importation violations, device adulteration violations, device misbranding violations, and other federal crimes. Specifically, I successfully completed the FDA-OCI Special Agent Training course in Charleston, South Carolina where I completed 120 hours of course work in FDA law and FDA-OCI investigations. I have also completed a 40-hour legal course regarding the Federal Food, Drug and Cosmetic Act. Additionally, I have participated in many aspects of drug investigations, including conducting physical surveillance, writing and executing search warrants, seizure warrants, and making arrests.

PURPOSE OF DECLARATION

2. This declaration is made in support of a complaint *in rem* for the forfeiture of the following property: \$396,172.61 U.S. currency from four (4) bank accounts; all funds contained within six (6) brokerage accounts; one vehicle; and five real properties, described in detail later in this declaration. The \$396,172.61 U.S. currency, the Brokerage Accounts, the Vehicle and the Real Properties are property, real or personal, which constitutes or is derived from proceeds traceable to smuggling violations of Title 18, United States Code, Section 545, and are therefore subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C).

3. The facts below describe the investigation of Nicole Shelby Randall, who unlawfully imported GS-441524, the nucleoside analogue antiviral drug developed by Gilead Sciences, for the treatment and cure of Feline Infectious Peritonitis (FIP), a viral disease caused by a feline coronavirus into the United States. There is no FDA approved treatment for FIP. GS-441524 is an unapproved drug and therefore is illegal to market, sell, or ship in interstate commerce, as further described below. Randall carried out the scheme by instructing shippers to falsely describe the drugs on import documents as “essential oils” and “beauty products,” and concealed in boxes labeled “cat shampoo” and “facial masks,” when she knew they were, in fact, drugs that were not approved by the FDA. The parcels, each containing hundreds of liquid vials and pills of drugs, were valued between \$0 and \$200 on import documents. Randall also instructed shippers to use fictitious recipient names on the shipping documents. She received these drugs at her home and other places and then sold the drugs for \$65 to \$385 per vial to customers throughout the United States.

SUMMARY OF INVESTIGATION

4. Since approximately September 2019 and continuing to at least July 2022, Randall and co-conspirators, including Nancy Ross of White City, Oregon, have operated a scheme to import and distribute throughout the United States, GS-441524, the nucleoside analogue antiviral drug developed by Gilead Sciences, for the treatment and cure of Feline Infectious Peritonitis (FIP), a viral disease caused by a feline coronavirus.

5. I know from my training and experience and facts learned during this investigation, the FDA has not approved GS-441524 as a drug for any use in humans or animals. The Food Drug and Cosmetic Act (FDCA) requires all drugs intended for treatment and/or mitigation of disease or medical conditions in humans or animals, to be approved. When they are not approved, they are misbranded because they lack adequate directions for use by a layperson, among other reasons. (Title 21, United States Code, Section 352(f)(1)). Therefore, Randall smuggled the unapproved drug GS-441524 into the United States, marketed, and then sold the drugs, contrary to law.

6. The investigation began when I received a tip on or about February 16, 2021. CBP intercepted a DHL parcel from Hong Kong addressed to Nancy Ross of White City, Oregon. The parcel weighed approximately three kilograms. It was inspected by CBP officers and found to contain 14 boxes labeled, "Facial Mask." Each box contained six vials with clear liquid. The parcel also contained pink foil packates labeled, "Acidophilus¹ Chewable Tablet...100mg Dietary Supplement...100 Tablets," with a caricature of a cat. The packets contained white,

¹ Acidophilus, (*Lactobacillus acidophilus*) is a bacterium found in the mouth, intestine and vagina and used as a probiotic.

round tablets with no markings. CBP records showed Ross had received at her residence in White City, Oregon, five similar shipments between November 2020 and February 2021. One parcel delivered in December 2020 weighed 11 kilograms.

7. FDA's Forensic Chemistry Center conducted analyses of the contents of the February 16, 2021, parcel intercepted by CBP and intended for Ross. The vials in the boxes labeled, "Facial Masks," were found to contain the unapproved drug GS-441524. The foil packets labeled in part "Acidophilus," were also found to contain the unapproved drug GS-441524.

8. Below are photos of the parcel label and contents:





9. In an undercover capacity through Facebook Messenger, I began a conversation with Ross and others seeking to purchase GS-441524. Ross was described as a “Moderator” in the private Facebook group, “FIP Warriors 5.0.” I learned this Facebook group was and still is used to market and sell GS-441524 to cat owners. During the undercover, Ross directed me to make payment for the drug through PayPal, Zelle, or CashApp to Nicole Randall.

18 U.S.C § 545-Smuggling

10. From at least September 2019, Randall fraudulently and knowingly imported and brought into the United States drugs, specifically the unapproved drug GS-441524, contrary to law. Further, Randall knowingly and willfully, with the intent to defraud the United States, imported these drugs using invoices and other documentation which were false and fraudulent as to both what they were and their value. Randall also fraudulently and knowingly received, bought, sold, and facilitated the transportation, concealment, and sale of these drugs after their importation, knowing they had been imported and brought into the United States contrary to law. All this was in violation of Title 18, United States Code, Section 545.

11. Title 18, United States Code, Section 545 defines the federal crime of smuggling goods, a serious felony offense under the laws of the United States. The purpose of this law is to protect American consumers from harmful and counterfeit imported products by ensuring the goods that

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 5
Complaint *In Rem*
FOR FORFEITURE

enter the United States marketplace are genuine, safe, and lawfully sourced. The United States Customs and Border Protection (CBP) works to achieve compliance through the review of Customs declarations filed by shippers, which include descriptions of shipments and their value. CBP utilizes the claims made on these declarations to determine whether further scrutiny is warranted through the inspection of shipments.

Notice of FDA Action

12. On September 30, 2019, Randall was sent a Notice of FDA Action for a shipment of vials containing an unknown liquid detained by CBP on September 27, 2019. The shipment was addressed to Randall at 910 Alamo Plaza Drive, Cedar Park, TX 78613 (Defendant Property 3, as described further below) and originated from a foreign country. CBP examination of the glass vials containing an unknown liquid was conducted and the vials were refused admission into the United States because they were deemed misbranded (Title 21, United States Code Section 502(f)(1), 801(a)(3)). The notice stated the vials were misbranded, in part, because they lacked adequate directions for use. The notice further stated the parcel contained a prescription pharmaceutical, and/or foreign-market Over-The-Counter drug. The notice explained the parcel was Defendant to refusal of entry or admission into the United States because the contents of the parcel did not “appear to be in compliance with the requirements of the law.”

Fraudulently Declared and Concealed Items

13. Randall received dozens of shipments at her residence, 910 Alamo Plaza Drive, Cedar Park, Texas (Defendant Property 3) from Hong Kong containing the unapproved drug GS-441524. The boxes were misdeclared on required Customs declarations as “beauty products,” “essential oils,” and “facial masks.” The vials of the drug were concealed in boxes labeled, “facial masks,” and “cat shampoo.” Randall knew, as further shown below in messages with

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 6
Complaint *In Rem*
FOR FORFEITURE

shippers, that the parcels did not contain “beauty products,” “essential oils,” “cat shampoo,” or “facial masks,” and instead contained the unapproved drug GS-441524. In addition, the parcels were shipped to Randall using false names, including “Jessica Thompson” and “Charlie Smith,” for the purpose of avoiding detection.

Undervalued Items

14. The values of the parcels were also declared on the Customs documents and invoices as far below the value of the unapproved drug. For instance, a parcel containing 120 vials of suspected GS-441524 was declared as “essential oil” and valued at \$96. I know based on the investigation that Randall sold GS-441524 to customers for \$65 to \$385 per vial.

Samples of Misdeclared, Concealed and Undervalued Shipments

15. CBP discovered a DHL parcel with Air Waybill #6776373354 from Starit Group Limited in Hong Kong addressed to “Jessica Thompson” at Defendant Property 3, declared as beauty essence sample and valued at \$85. The parcel was inspected on or about May 18, 2022, by CBP and found to contain 600 clear vials with yellow caps each containing a clear liquid. Included in the shipments were boxes for the vials marked, “Pet Shampoo.” FDA lab testing identified the contents of the vials as the unapproved drug GS-441524. Below are photos of the shipping label, invoice and contents of the parcel.

\\

\\

\\

\\

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 7
Complaint *In Rem*
FOR FORFEITURE

FROM : Account Nr DHL: 631327035 STARIT GROUP LIMITED VINCENT YU Unit B, 15/F, Win Sun Factory Bldg., 2 Sun Hop Lane, TUEN MUN HONG KONG HK Phone : 85226030326 Shipp. VAT: Reference : PN22551012925	PRODUCT: WPX <i>Reproduction</i>
TO : Jessica Thompson 910 Alamo Plaza Drive Cedar Park 78613-7809 TX UNITED STATES OF AMERICA US Rec. VAT: Phone : 15127624344	DESTINATION: AUS  AIR WAYBILL: 6776373354 (Non-Negotiable) 
DESCRIPTION: DATE: 2022-05-12 beauty essence sample VALUE: 85,000 USD WEIGHT: 10.400 KG	 1 OF 1 Origin: HKG
Additional Info : Pick-up time + route : Bill to account : 631327035 DHL Service : Duties Taxes Unpaid Reason for export : Insurance value : Duty and Tax account : Dimensions (cm) : L:40.0 W: 30.0 H: 30.0 Volumetric weight : KG Customer weight : 10.400 KG Actual weight : Extra charges : 1:DS 2:PJ	

Description:
beauty-
essence-
sample

Value:
85.000USD

Weight: 10.4 Kg



Pet-Shampoo
Free-Sample
For-External-Use-Only

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 8
Complaint *In Rem*
FOR FORFEITURE



AMB No. 677 637 335 4 Page 2

Proforma Invoice

AMB No: 6776373354 Invoice Date: 2022-05-12 Invoice No: PN22551012525

SHIP FROM:

 STARIT GROUP LIMITED
 VINCENT YU
 Unit B, 15F, Wis Sun Factory Bldg.,
 2 Sun Hop Lane,

TUBEN MUN

 Hong Kong SAR, China
 +85226000028
 vincentyu@staritgp.com
 Trader Type: 0100000000
 VOT No:
 EORI:
 TAX ID:

SHIP TO:

 Jessica Thompson
 970 Alamo Plaza Drive

 Cedar Park, 75013-7500
 Texas
 United States of America
 +15127024344
 jay0011@hotmail.com
 Trader Type: PRIVATE
 VAT No:
 EORI:

 Shipper Reference: PN22551012525
 Receiver Reference:

Remarks:

Item	Description	Comma- dity Code	GST paid	Net / Gross Weight	COO	Reference Type & ID	QTY	Unit Value	Sub Total Value
1	beauty essence sample			2.000 kg 2.000 kg	CHINA, PEOPLES REPUBLIC		5.00 PCS	17.80 USD	85.00 USD

 Total Goods Value: 85.00 USD
 Total Invoice Amount: 85.00 USD
 Currency Code: USD
 Terms of Payment:
 Terms of Trade: Delivered at Place
 Place of Receipt: Sample
 Reason for Export: Sample
 Type of Export: Sample
 Total Net Weight: 10.000kg
 Total Gross Weight: 12.400kg

 Total line items: 1
 Number of Pallets: 0
 Total units: 5.0
 Package Marks / Other Info:

 Payer of GST / VAT:
 Duty / taxes acc: Receiver Will Pay
 Regulars / Importer:
 Duty / tax billing service:
 Carrier: DHL

16. CBP discovered another DHL parcel with Air Waybill #7838965330 from Starit Group Limited in Hong Kong addressed to “Jessica Thompson” at Defendant Property 3 declared to contain beauty essence sample valued at \$85 and for personal use. The parcel was inspected on or about May 20, 2022 by CBP and found to contain 400 clear vials with yellow caps each containing a clear liquid. Included in the shipments were boxes for the vials marked, “Pet Shampoo.” Below are images of the shipping label, an invoice found in the parcel, and contents of the parcel:

Declaration of Special Agent Hilary Rickher

 EXHIBIT A PAGE 9
 Complaint *In Rem*
 FOR FORFEITURE



Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 10
Complaint *In Rem*
FOR FORFEITURE

Proforma Invoice

AWB No: 7838965330 **Invoice Date:** 2022-05-19 **Invoice No:** PN22551020949

SHIP FROM:
STARIT GROUP LIMITED
VINCENT YU
Unit B, 15/F, Win Sun Factory Bldg.,
2 Sun Hop Lane,
TUEN MUN
Hong Kong SAR, China
+85226030326
vincentyu@staritgp.com
Trader Type: BUSINESS
VAT No:
EORI:
TAX ID:

SHIP TO:
Jessica Thompson
910 Alamo Plaza Drive, Cedar Park, Texas
CEDAR PARK, 78613
Texas
United States of America
+15127624344
leiyu0211@hotmail.com
Trader Type: PRIVATE
VAT No:
EORI:

Remarks:

Shipment Reference: PN22551020949
Receiver Reference:

Description: beauty-essence-sample

Type-of-Export: Personal, Not for Resale

Item	Description	Commodity Code	GST paid	Net / Gross Weight	COO	Reference Type & ID	QTY	Unit Value	Sub Total Value
1	beauty essence sample			0.330 kg 0.350 kg	CHINA, PEOPLES REPUBLIC		20.00 PCS	4.25 USD	85.00 USD

Total Goods Value: 85.00 USD
Total Invoice Amount: 85.00 USD
Currency Code: USD
Terms of Payment:
Terms of Trade: Delivered at Place
Place of Incoterm:
Reason for Export: Personal, Not for Resale
Type of Export: Personal Belongings/Not for Resale
Total Net Weight: 6.600kg
Total Gross Weight: 7.000kg

Total line items: 1
Number of Pallets: 0
Total units: 20.0
Package Marks / Other Info:

Payer of GST / VAT: Receiver Will Pay
Duty / taxes acct: No
Require Pedimento: No
Duty / tax billing service: DHL
Carrier:
Ultimate Consignee:
Exemption Citation:



Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 11
Complaint *In Rem*
FOR FORFEITURE

17. CBP discovered a UPS parcel with Air Waybill #1Z8R68430441005629 from Memovan Technology Industrial in Hong Kong addressed to “Charlie Smith” at Defendant Property 3 and declared to contain “Skincare.” The parcel was inspected on or about May 19, 2022 by CBP and found to contain 80 green and white boxes labeled, “Cat Skincare...Lucky.” Each box contained five clear vials with green caps, each containing a clear liquid. Below are images of the shipping label and photos of the contents of the parcel:



Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 12
Complaint *In Rem*
FOR FORFEITURE



18. CBP discovered a FedEx parcel with Air Waybill # 7769 2649 8822, addressed to "Jessica Thompson" at Defendant Property 3. The return address was listed as "Annie Cheung, Pets-So Limited" in Hong Kong. The parcel was declared as "beauty facial sample" and valued at \$60. The parcel was inspected on or about May 25, 2022, by CBP and found to contain 10

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 13
Complaint *In Rem*
FOR FORFEITURE

green boxes labeled in part, “Facial Mask...For External Use Only...Free Sample.” The boxes each contained 17 glass vials with yellow caps. The vials contained a clear liquid. FDA lab testing identified the contents of the vials as the unapproved drug GS-441524. Below are photos of the shipping label, an invoice found inside the parcel, and contents of the parcel.



Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 14
Complaint *In Rem*
FOR FORFEITURE

This invoice must be completed in English.
(必須以英文填寫此發票)

Pro Forma Invoice (形式發票)

Page 1 of 1
(第 1 頁, 共 1 頁)

EXPORTER (出口商): Tax ID# (稅務號碼): Contact Name (聯絡人姓名): ANNIE CHEUNG Telephone No. (電話號碼): 64642623 E-Mail (電子郵件): Company Name/Address (公司名稱/地址): PETS-SO LIMITED C309, 3/F, Bldg Koon Wah Mirror Factory Bldg., N. T. Country (國家): Hong Kong SAR, China Parties to Transaction (交易方): <input type="checkbox"/> Related (相關) <input checked="" type="checkbox"/> Non-Related (不相關)				Ship Date (託運日期): 23 May, 2022 Air Waybill No. / Tracking No. (空運提單號碼/追蹤號碼): 776926498822 Invoice No. (發票號碼): Purchase Order (訂單號碼): Payment Terms (付款條件): Bill of Lading (提貨單): Purpose of Shipment (貨運目的): SAMPLE				
CONSIGNEE (收件人): Tax ID# (稅務號碼): Contact Name (聯絡人姓名): Jessica Thompson Telephone No. (電話號碼): (512) 762-4344 E-Mail (電子郵件): Company Name/Address (公司名稱/地址): Jessica Thompson 910 Alamo Plaza Drive Cedar Park TX 78613 Country (國家): UNITED STATES OF AMERICA				SOLD TO (if different from Consignee) (購買人 (若不同於收件人)): <input checked="" type="checkbox"/> Same as CONSIGNEE (與收件人相同): Tax ID# (稅務號碼): Company Name/Address (公司名稱/地址): Country (國家): UNITED STATES OF AMERICA				
If there is a designated broker for this shipment, please provide contact information (若此貨件有指定海關代理人, 請提供聯絡資訊) Name of Broker (指定海關代理人姓名): Tel. No. (電話號碼): Contact Name (聯絡人姓名):								
Duties and Taxes Payable by (關稅及其他稅項由誰人支付) <input type="checkbox"/> Exporter (出口商) <input checked="" type="checkbox"/> Consignee (收件人) <input type="checkbox"/> Other (其他): If Other, please specify (若其他, 請指定):								
No. of Packages (包裝數量)	No. of Units (單位數量)	Net Weight (LBS/KGS) (淨重(磅/公斤))	Unit of Measure (測量單位)	Description of Goods (貨品說明)	Harmonized Tariff Number (海關稅則號碼)	Country of Manufacture (廠商國別)	Unit Value (單價)	Total Value (總金額)
1	12.00	3.00	PCS	Beauty Facial Sample		TH	5.000000	60.00
Beauty Facial Sample								
Total Pkgs (包裝總數):	Total Units (總計單位):	Total Net Weight (總淨重):	Indicate LBS/KGS (指明磅/公斤):	Total Gross Weight (總毛重):	Indicate LBS/KGS (指明磅/公斤):	Terms of Sale (銷售條款):		
1	12.00	3.00	KG	3.00	KG			
Special Instructions (特殊指示): Declaration Statement(s) (聲明): I declare that all the information contained in this invoice to be true and correct. (本人聲明此發票內所填寫之資料全部屬實無誤。) Originator or Name of Company Representative (if the invoice is being completed on behalf of a company or individual) (若發票是由某公司或個人代表所填, 請提供該人或公司代表姓名): ANNIE CHEUNG Signature / Title / Date (簽名 / 職稱 / 日期):							Subtotal (小計): 60.00	
							Insurance (保險): 0.00	
							Freight (運費): 0.00	
							Packing (包裝): 0.00	
							Handling (處理費): 0.00	
							Other (其他): 0.00	
							Invoice Total (發票總計): 60.00	
							Currency Code (幣別代碼): USD	

Total Value:
\$60

Beauty Facial
Sample

ANIE

23 May, 2022

REV. 02.28.12-1.07

Complaint In Rem
FOR FORFEITURE



19. I know, based on my experience and training, and from engaging Randall and others involved in the scheme in an undercover capacity, that Randall misdeclared, undervalued, and

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 16

Complaint *In Rem*
FOR FORFEITURE

concealed the real contents of the shipments containing unapproved drugs from Hong Kong to the United States for the purpose of avoiding detection and scrutiny by CBP.

Randall Markets and Sells Known Smuggled Goods to Customers

20. Through the private Facebook Group, “FIP Warriors 5.0,” Randall and others marketed GS-441524 for treatment of FIP, for which no drug has received FDA approval. Despite having no veterinary or prescriber licenses, Randall and others in the Facebook Group, “diagnosed” cats and kittens with FIP and told the pet owners to purchase GS-441524, which they claimed would cure the disease.

21. Randall, Ross, and others directed pet owners to pay them for the product via PayPal, CashApp, Zelle, and other methods to accounts that were directly associated with Randall. Randall then shipped the products to customers from Randall’s residence in Cedar Park, Texas, to various cities throughout the United States and to foreign countries.

22. Because the drug is not manufactured lawfully in the United States, for the treatment of FIP, Randall sought out Chinese manufacturers and distributors to purchase the drugs. Randall’s only source of supply was the Chinese market. I believe after reviewing text messages and email correspondence between the Chinese suppliers and Randall, she knew the products were being misdeclared, undervalued, labeled as personal use, and concealed, in order to avoid detection by CBP, to avoid having the parcels seized, and to avoid paying Customs fees and taxes. Images of the correspondence appears further below.

Randall Receives Smuggled Goods

23. From February 2020 through June 2022, Randall received more than 223 parcels via

FedEx, DHL, and UPS, from Hong Kong or China at her residence located at 910 Alamo Plaza
Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 17
Complaint *In Rem*
FOR FORFEITURE

Drive, Cedar Park, Texas 78613 (Defendant Property 3) or at a post office box she controlled at Post Office Box 3609, Cedar Park, TX 78630. Seven of these parcels were inspected by CBP and found to contain unlabeled glass vials, usually concealed in boxes that were designed to hide the true nature of the shipped goods. The vials were contained in boxes marked “Facial Mask” and “Pet Shampoo.” The parcels were declared as “Beauty Essence Products,” “Cosmetics,” “Essence Water,” and “Beauty Facial Masks.” In addition, the parcels were declared as having a value of between \$0 and \$200. The packaging of the vials and the Customs declarations were designed to disguise the true nature of the contents of the parcels, in violation of 18 U.S.C. §545.

24. Additionally, Randall had online conversations with Chinese suppliers about parcels missing and likely seized by law enforcement (CBP). Based on these conversations, I believe Randall worked in conjunction with Chinese suppliers to hide the drugs from CBP, causing the parcels and their contents to be smuggled, in violation of 18 U.S.C. §545. Randall used Facebook to converse with and order products from Chinese suppliers. Randall specifically had conversations with an individual designated as CatCat Ma Facebook: 100014782693010 and Vanvan Law Facebook: 100041487128610. Below are some of the conversations between Randall and CatCat Ma or Vanvan Law:

10/27/2020 & 10/28/2020 Conversation
(excerpts from a longer Facebook Messenger thread)

Randall- @Vanvan Law can you send more lucky pills and vials?
 Randall- My address
 Randall- But to a fake name
 Vanvan Law- Can you give me address again. I will arrange Lucky vials.
 Randall- You can send to 910 Alamo plaza drive, cedar park, Texas 78613
 Randall- Just use a fake name
 Vanvan Law- Okay, think of a fake name.😊😊
 Randall- Charlie Smith
 Randall- Lol
 Vanvan Law- Great!

Vanvan Law- Charlie smith Address:910 Alamo plaza drive, cedar park Tx
 78613,Phone:512-762-4344Lucky15*200 vials
 Vanvan Law-Charlie UPS:1ZX0X9920390902549Lucky 15*200 vials

03/25/2021 Conversation


(excerpts from a longer Facebook Messenger thread)

Randall-Hey
 Randall- If I wanted to start getting capella again is that possible?
 CatCat Ma- Yes, sure
 CatCat Ma- I arrange for you today
 Randall- Capella pills and vials?
 CatCat Ma- Yes
 Randall- Can you ship to a Charlie smith
 Randall- So it's not my name directly
 CatCat Ma- Yes
 CatCat Ma- Maybe you give me one more time the address and telephone number
 Randall- Sure!
 Randall- 910 Alamo plaza drive, cedar park, texas 78613
 Randall- 512-762-4344

08/03/2021 to 08/07/2021 Conversation

(excerpts from a longer Facebook Messenger thread)

Randall- Homeland security has the last batch of capella
 CatCat Ma- 😊
 CatCat Ma-

WAYBILL DOC		WPX-DHL	
Not to be attached to package - Hand to Courier 2021-07-27 GLS 3.0 / www.dhl.com.hk			
Shipper :		Contact:	
Carman and Lau Pro H Fanny Ko 158, 12/F, Sha Tin Road HONG KONG		Tel: 23798111	
Receiver :		Contact:	
Charlie Smith 910 Alamo Plaza Drive, Cedar Park, Texas 78613		Tel: +15127624344	
CEDAR PARK United States Of America			
HK-HKG-HKC US-AUS-AUS			
Product Details:		Features / Services (Service Code)	
(P) EXPRESS WORLDWIDE (48)			
Payer Details			
FRT A/C No: 631371313			
Shipment Details		Pieces	
Sender Ref.: 07INV2021079			
Customs Value: 47 USD			
Gross Decl Shpt Wgt (UOM) / Dim Wgt (UOM):			
3 kg		1	
Name (in Capital Letters)	Signature	Date (DD.MM.YYYY)	
 WAYBILL 85 9184 0434		Contents: Beauty Facial Sample	
License Plates of pieces in shipment JD01460008422073631			

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 19
Complaint *In Rem*
FOR FORFEITURE

CatCat Ma- This one?

Randall- Yes

Randall- Can you ship more Capella under a different name?

CatCat Ma- Yes, sure


Randall- What about Jessica Thompson?

Randall- As the name

CatCat Ma- ok

CatCat Ma- I arrange today

CatCat Ma-

WAYBILL DOC		WPX-DHL	
Not to be attached to package - Hand to Courier 2021-08-07 01:03:00 / www.dhl.com.hk			
Shipper:		Contact:	
Carman and Lau Pro H Flora Chu 133, Har Yin Road, TKO HONG KONG		Tel: 23798111	
Receiver:		Contact:	
Jessica Thompson 910 Alamo Plaza Drive, Cedar Park, Texas 78613 CEDAR PARK United States Of America		Jessica Thompson Tel: +15127624344	
HK-HKG-HKC US-AUS-AUS			
Product Details:		Features / Services (Service Code)	
[P] EXPRESS WORLDWIDE (48)			
Payer Details FRT A/C No: 631371313			
Shipment Details			
Sender Ref.: 08INV2021020			
Customs Value: 44 USD			
Cust Decl Shpt Wgt (UOM) / Dim Wgt (UOM):		Pieces	
3 kg		1	
Name (in Capital Letters)	Signature	Date (DD.MM.YYYY)	
		Contents: Beauty Facial Sample	
WAYBILL 85 9202 7183			
License Plates of pieces in shipment JD014600008744296866			
- page 1 of 1 -			

CatCat Ma- 198 vials Capella

05/26/2022 Conversation

(excerpts from a longer Facebook Messenger thread)

Randall- Can you send more rainbow? I am not sure if customs got this one

Randall- And we should use a different name

CatCat Ma- ok

CatCat Ma- Same address?

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 20
Complaint *In Rem*
FOR FORFEITURE

Randall- I can give you another address and name

CatCat Ma- ok

Randall- 500 East Whitestone Blvd.PO Box 3609Cedar Park, Texas78613

Randall- Brooke Owens

CatCat Ma- ok

Randall and Others Distributes the Smuggled Goods to Customers

25. Evidence obtained from the investigation shows that a large number of vials and pills of GS-441524 have been ordered by customers throughout the United States from Randall and her co-conspirators. Specifically, a spreadsheet found in Randall's Google Email contained orders of vials and pills from July 22, 2020 to June 6, 2022. After analyzing the information from the spreadsheet, customers have ordered at least 58,460 vials and 236,836 pills of GS-441524 from Randall and others involved in the illegal activity.

26. Through the private Facebook Group, Randall and others marketed, sold, and distributed GS-441524 to customers throughout the United States. Randall and others collected payments from customers for the GS-441524. Randall and others instructed customers to avoid using terms that would identify the shipment and purchase of the drugs. For example, the Facebook Group webpage had the following instructions:



Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 21
Complaint *In Rem*
FOR FORFEITURE

Randall Charges Customers for Drugs at Higher Rates Than Listed on Customs

Declarations

27. As previously described, Customs invoices and shipping labels showed the total value of the parcels found to contain the drugs were listed between \$0 and \$200.

28. In an undercover capacity, I learned Randall charged customers between \$65 and \$385 per vial of GS-441524. Chinese and Hong Kong based e-commerce websites, offer the drugs for between \$25 and \$35 per vial. This is further evidence Randall knew the true value of the drugs and sold the smuggled drugs for a profit, in violation of 18 U.S.C. 545.

29. Additionally, Randall and others operating the FIP Warriors Facebook webpage stated they were operating a non-profit organization. The following is information on the FIP Warriors Facebook webpage:

“Please note further that this group was founded as a strictly not for profit group by the fellow cat owners whose cats were or are still battling a terminal illness. We do not make any money or otherwise receive any profit or incentives from this group and our only purpose is to share our PERSONAL stories and provide information on how to save your cats.”

30. The investigation has proven that Randall has financially benefited from the smuggling and sale of GS-441524. Randall has made large profits from the sale of GS-441524 which has allowed her to purchase the assets described below that are the Defendant of this Complaint *in rem*.

Description of Accounts, Vehicle and Real Property to be Forfeited

31. This declaration is submitted in support of a Complaint *in rem* for the forfeiture of the following Five Bank Accounts, Five brokerage accounts (hereafter “Defendant Accounts”), one vehicle (hereafter “Defendant Vehicle”), and five real properties (hereafter “Defendant Real

Properties”). Five of the ten Defendant Accounts and the Defendant Vehicle were previously seized by the Government pursuant to seizure warrants, further described below. The accounts, vehicle and real properties represent traceable proceeds to the crime of smuggling, Title 18, United States Code, Section 545, and are therefore subject to forfeiture pursuant to 18 U.S.C. 981(a)(1)(C). The Government sets forth its tracing analysis in this declaration and makes no attempt to double recover any proceeds of the crime.

32. **Defendant Vehicle:** A 2022 Tesla Model Y with Vehicle Identification Number 7SAYGDEE3NF315820 and bearing Texas license plate RMN7286 registered to Nicole Randall. This vehicle was the Defendant of a seizure warrant authorized by United States Magistrate Judge Andrew Hallman on July 12, 2022. The vehicle was seized by law enforcement on July 14, 2022.

1. **Defendant Account 1:** \$368,598.60 U.S. currency seized from JP Morgan Chase Platinum Business Checking Account #739266994 in the name of Feline Good Cat Services, LLC² on July 14, 2022. Judge Hallman authorized the seizure of this account on July 12, 2022.
2. **Defendant Account 2:** \$13,074.63 U.S. currency seized from JP Morgan Chase Business Premier Savings Account #3912547990 in the name of Feline Good Cat Services, LLC on July 14, 2022. Judge Hallman authorized the seizure of this account on July 12, 2022.
3. **Defendant Account 3:** \$7,298.20 U.S. currency seized from JP Morgan Chase Private Client Checking Account #753236543 in the name of Nicole Randall on July 14, 2022. Judge Hallman authorized the seizure of this account on July 12, 2022.

² On December 7, 2020, Nicole Randall filed a Certificate of Formation with the Texas Secretary of State Office to create Feline Good Cat Services, LLC. Nicole Randall’s Texas residence was used for the entity address.

4. **Defendant Account 4:** \$7,201.18 U.S. currency seized from JP Morgan Chase Platinum Business Checking Account #639769121 in the name of Lone Star Homes, LLC³ on July 14, 2022. Judge Hallman authorized the seizure of this account on July 12, 2022.
5. **Defendant Account 5:** All funds contained within the Charles Schwab Individual Brokerage Account #1536-7988 held in the name of Nicole Shelby Randall. This account was the Defendant of a seizure warrant authorized by Judge Hallman on July 12, 2022. On July 14, 2022, law enforcement served the seizure warrant on Charles Schwab, who then froze the account with a balance of cash and securities valued at \$1,034,712.04. The value of the Charles Schwab account continues to increase or decrease based on the value of the securities held in the account. As of January 21, 2023, the account value was \$ 1,109,132.06.
6. **Defendant Account 6:** All funds contained within Charles Schwab One Individual Brokerage Account #8422-0007 in the name of Nicole Shelby Randall.
7. **Defendant Account 7:** All funds contained within Charles Schwab One Individual Brokerage Account #3516-7537 in the name of Nicole Shelby Randall.
8. **Defendant Account 8:** All funds contained within Charles Schwab One Trust Account #5453-1575 in the name of Nicole Shelby Randall, TTEE, Feline Good Cat Services LLC 4 U/A DTD 1/1/2021 FBO N Randall.
9. **Defendant Account 9:** All funds contained within Charles Schwab One Trust Account #1757-0955 in the name of Nicole Shelby Randall, TTEE, Feline Good Cat Services LLC 4 U/A DTD 1/1/2021 FBO N Randall.

³ On June 24, 2020, Nicole Randall filed an Articles of Organization with the Missouri Secretary of State Office to organize Lone Star Homes, LLC. Nicole Randall's Texas residence was used for the entity address. The purpose for the entity was listed as "Real Estate Investment".

10. **Defendant Account 10:** All funds contained within Charles Schwab Simplified Employee Plan Account #9311-1347 in the name of Nicole Shelby Randall.

11. **Defendant Real Property 1:** 141 Brady Creek Way, Leander, Texas

Parcel Number: R589491

Legal Description: Lot 31, Block D, of CAUGHFIELD, PHASE 9, a subdivision in Williamson County, Texas according to the map or plat thereof, recorded in Document Number 2019119008, of the Official Public Records of Williamson County, Texas.

Title held in the name of Nicole Randall.

12. **Defendant Real Property 2:** 1028 Arvada Drive, Leander, Texas

Parcel Number: R528882

Legal Description: Lot 16, Block G, SAVANNA RANCH, SECTION TWO FINAL PLAT, a subdivision in Williamson County, Texas, according to the map or plat recorded in Document No. 2014050918, of the Official Public Records of Williamson County, Texas.

Title held in the name of Nicole Randall.

13. **Defendant Real Property 3:** 910 Alamo Plaza Drive, Cedar Park, Texas

Parcel Number: R506041

Legal Description: Lot 1; Block 60, Cedar Park Towncenter, Section VIII, an addition in Williamson County, Texas, According to the map or plat recorded in Cabinet GG, Slide S161-165, Plat Records, Williamson County, Texas.

Title held in the name of Nicole Randall, Trustee of The Randall Family Living Trust, dated August 17, 2021.

14. **Defendant Real Property 4:** 3405 Rain Forest Drive, Austin, Texas

Parcel Number: 106079

Legal Description: Lot 2, Block E, Woodhaven, according to the map or plat thereof, recorded in Volume 76, Page 132, Plat Records, Travis County, Texas.

Title held in the name of Nicole Randall, Trustee of The Randall Family Living Trust, dated August 17, 2021

15. **Defendant Real Property 5:** 3927 Castleman Avenue, St. Louis, MO

Parcel Number: 49440002500

The Eastern 33 feet 4 inches of Lot No. 23 in Block No. 17 of TYLER PLACE and in Block No. 4944 of the City of St. Louis, fronting 33 feet 4 inches on the North line of Castleman Avenue, by a depth Northwardly of 121.89 feet.

Title held in the name of Lone Star Homes, LLC.

Financial Analysis

16. The following analysis will show that Randall of Austin, Texas, Nancy Ross of White City, Oregon, and others, operated a scheme to smuggle into the United States and sell the GS-441524.

17. The analysis will show Randall alone sold \$9,581,781.61 of these smuggled drugs. The analysis below will describe how Randall funneled the sales into the Defendant Accounts, Defendant Vehicle, and Defendant Properties.

18. Included and incorporated herein as ATTACHMENT 1, is a flow chart illustrating the movement of the proceeds from the sale of the smuggled unapproved drug GS-441524 by Randall to the Defendant Vehicle, Defendant Accounts, and Defendant Properties.

Financial Analysis – Flow of Funds to and from Defendant Account 1

19. Evidence obtained in the investigation, established that Randall was using JP Morgan Chase Bank Platinum Business Checking account #739266994 in the name of Feline Good Cat Services, LLC (Defendant Account 1), and Amplify Credit Union account #445702209 and #5000000201257, both in the name of Nicole Randall, to carry out the scheme to smuggle and sell GS-441524 to customers throughout the United States. From January 1, 2020 to July 30,

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 26
Complaint *In Rem*
FOR FORFEITURE

2021, Randall received \$553,885.53 in customer payments from Venmo and PayPal into Amplify Credit Union accounts #445702209 and #5000000201257. Records from Venmo and PayPal, proves that Nicole Randall was paid by a large number of individuals and entities. Some of the payments mention vials, and a large portion mention pet names.

20. Amplify Credit Union Account #5000000201257 last transaction was on June 10, 2021, when the remaining funds totaling \$38.70 were transferred to Amplify Credit Union Account #445702209. On June 11, 2021, \$8,000.00 was transferred from the Amplify Credit Union Account #445702209 to the Randall's personal JP Morgan Chase Bank Account #753236543 (hereinafter referred to as Defendant Account 3). The Amplify Credit Union Accounts #445702209 and #5000000201257 were closed on July 30, 2021.

21. Financial records for Defendant Account 1 prove that Randall used this bank account to carry out the scheme by receiving payments from customers via Venmo, Zelle, PayPal, Block/Square/CashApp, Wise, Inc., Apple Cash, credit cards via traditional credit card processors, checks, money orders, and electronic transfers. On December 30, 2020, Randall opened Defendant Account 1. Randall is the only authorized signor of Defendant Account 1. Bank records were analyzed for Defendant Account 1 for the period of December 30, 2020 to July 18, 2022. During this period, Randall received customer payments totaling \$9,027,896.08 into Defendant Account 1 using the payment methods described above. In total, \$9,581,781.61 in customer payments for unapproved GS-441524 were deposited into Defendant Account 1 and the two (2) Amplify Credit Union bank account described above. The amounts per payment method are described below:

///

Venmo	\$ 1,170,201.51
Zelle	\$ 1,744,109.91
PayPal	\$ 2,881,428.19
Credit Card Processors	\$ 2,435,559.81
Block/Square/CashApp	\$ 637,414.69
Wise, Inc.	\$ 69,322.50
Apple Cash	\$ 13,804.00
Check/Money Order/Wire	<u>\$ 629,941.00</u>
Total	<u>\$ 9,581,781.61</u>

22. Records obtained from PayPal, Zelle, Venmo, and Block/Square/CashApp reflect payments from customers to Randall on multiple occasions with references to pet names and/or vials. For example, “Jasmine/Princessa Vials”, “Moose’s delivery cost for vials!”, and “2 vials lucky + shipping” were listed in the payments made to Randall. A check in the amount of \$1,795.00 payable to Randall was deposited into Defendant Account 1. The \$1,795.00 check was from Marja E. Brandly in Dayton, OH. The memo section of the \$1,795.00 check contained the following: “GS44:26 Vials”. Based on the deposits and the individual records from the various payment methods mentioned above, i.e., Venmo, PayPal, Zelle, etc., Randall used Defendant Account 1 to receive proceeds of the smuggled drug, GS-441524, that is marketed through the private Facebook Group, “FIP Warriors 5.0.” The payment references are consistent with instructions Randall provided to an undercover agent for identifying their payment for the undercover purchase of GS-441524.

23. As stated above, Randall received customer payments totaling \$9,027,896.08 into Defendant Account 1. The financial records show Randall made other deposits into Defendant

Account 1, to include: \$649,000 in transfers from JP Morgan Chase Business Premier Savings account #3912547990 in the name of Feline Good Cat Services, LLC (Defendant Account 2), \$3,642.69 in numerous small denomination checks from the U.S. Postal Service, a refund of an attempted payment made to Wise, Inc. in the amount of \$10,019.63, and \$75.00 in cash. The funds from the transfers from Defendant Account 2 originated from transfers from Defendant Account 1. In other words, the \$649,000.00 were redeposits of funds originally sent out of Defendant Account 1. Likewise, the \$10,019.63 attempted payment through Wise, Inc. was made from funds from Defendant Account 1. Randall used Defendant Account 1 to receive proceeds totaling at least \$9,027,896.08 from the sale of smuggled GS-441524. Randall transferred the illegal proceeds from Defendant Account 1 to other bank and brokerage accounts, including the Defendant Accounts, under her control to purchase assets and to make investments.

24. On July 12, 2022, Judge Andrew Hallman in the District of Oregon, Portland, Oregon authorized a seizure warrant for Defendant Account 1. The seizure warrant was served on JP Morgan Chase Bank on July 14, 2022. On July 18, 2022, \$368,598.60 was withdrawn from Defendant Account 1 and turned over to the U.S. Marshals Service.

Flow of Funds to Defendant Account 2

25. On June 10, 2021, Randall opened Defendant Account 2 in the name of Feline Good Cat Services, LLC. Randall is the only authorized signor for Defendant Account 2. Bank records were obtained and analyzed for Defendant Account 2 for the period of June 9, 2021, to July 15, 2022. Defendant Account 2 was funded in two ways. First, five (5) transfers totaling \$1,767,000.00 from Defendant Account 1 were made into the Defendant Account 2 (the business signature card for Defendant Account 2 indicates that the account was opened on June 10, 2021;

however, per the bank statements, a deposit of \$400,000.00 was made on June 9, 2021). From

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 29

Complaint *In Rem*
FOR FORFEITURE

June 9, 2021, to July 15, 2022, \$74.63 in interest earned was deposited into the Defendant Account 2. No other deposits were made into Defendant Account 2. Randall used Defendant Account 1 to receive proceeds from customers totaling at least \$9,027,896.08 from the sale of smuggled GS-441524.

26. On July 12, 2022, Judge Hallman authorized a seizure warrant for Defendant Account 2. The seizure warrant was served on JP Morgan Chase Bank on July 14, 2022. On July 15, 2022, \$13,074.63 was withdrawn from Defendant Account 2 and turned over to the U.S. Marshals Service.

Flow of Funds to Defendant Account 3

27. On June 10, 2021, Randall opened Defendant Account 3. Randall is the only authorized signor for Defendant Account 3. Bank records were obtained and analyzed for Defendant Account 3 for the period of June 10, 2021, to July 15, 2022. Defendant Account 3 was primarily funded from transfers from bank accounts under the control of Randall. From June 10, 2021, to July 15, 2022, twenty-five (25) transfers totaling \$2,105,491.00 were made from Defendant Account 1 and two (2) transfers totaling \$1,050,000.00 from Defendant Account 2. On April 11, 2022, two (2) transfers totaling \$200,000.00 were made from Randall's Charles Schwab One Individual Account #1536-7988 (Defendant Account 5) into Defendant Account 3. The \$200,000 from Charles Schwab deposited into the Defendant Account 3 originated from transfers made from Defendant Account 1.

28. From June 10, 2021, to July 15, 2022, Defendant Account 3 received \$9,209.97 from PayPal and \$1,283.36 from Venmo. The \$9,209.97 payments from PayPal were rental/security deposits payments from two (2) tenants for real properties Randall purchased with the sale of smuggled goods (see below for further details). The \$1,283.36 from Venmo were customer

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 30

Complaint *In Rem*
FOR FORFEITURE

payments for the sale of smuggled GS-441524. Defendant Account 3 had other smaller transfers from other bank accounts controlled by Randall. A total of \$8,031.48 was transferred into Defendant Account 3 from the Amplify Credit Union Account #445702209. Also, \$21,717.79 in deposits were made into Defendant Account 3 from various sources. Some of these deposits were \$6,087.02 from Nationwide Insurance, \$5,935.85 from Wells Fargo Home Mortgage (based on information this appears to be a return of a loan payoff made by Randall), and \$6,919.03 from Progressive Casualty Insurance. This account is funded primarily from funds from Defendant Account 1 and Defendant Account 2, both in the name of Feline Good Cat Services, LLC and both containing proceeds of the sale of smuggled GS-441524. Randall uses the funds from Defendant Account 1 & 2 to purchase personal assets. Randall used Defendant Account 1 to receive proceeds from customers totaling at least \$9,027,896.08 from the sale of smuggled GS-441524. Based on my analysis, Randall transferred money into Defendant Account 3 right before making large purchases.

29. On July 12, 2022, Judge Hallman authorized a seizure warrant for Defendant Account 3. The seizure warrant was served on JP Morgan Chase Bank on July 14, 2022. On July 15, 2022, \$7,298.20 was withdrawn from Defendant Account 3 and turned over to the U.S. Marshals Service.

Flow of Funds to Defendant Account 4

30. On August 25, 2020, Randall opened Defendant Account 4 in the name of Lone Star Homes, LLC (Defendant Account 4). Randall is the only authorized signor for Defendant Account 4. Bank records were obtained and analyzed for Defendant Account 4 for the period of August 25, 2020, to July 15, 2022. On August 31, 2021, the balance of Defendant Account 4 was \$1,851.27. From August 31, 2021, to July 15, 2022, Defendant Account 4 was funded from three

Declaration of Special Agent Hilary Rickher

(3) transfers totaling \$235,525.00 from Defendant Account 1, one (1) transfer in the amount of \$50,000.00 from Defendant Account 2, and one (1) transfer in the amount of \$3,000.00 from Defendant Account 3. As stated above, the Defendant Account 1, Defendant Account 2, and Defendant Account 3 contain proceeds from the scheme conducted by Randall to sell smuggled GS-441524. Randall used Defendant Account 1 to receive proceeds from customers totaling at least \$9,027,896.08 from the sale of smuggled GS-441524. No other deposits were made into the Defendant Account 4 during the time period from September 1, 2021, to July 15, 2022.

31. On July 12, 2022, Judge Hallman authorized a seizure warrant Defendant Account 4. The seizure warrant was served on JP Morgan Chase Bank on July 14, 2022. On July 15, 2022, \$7,201.18 was withdrawn from Defendant Account 4 and turned over to the U.S. Marshals Service.

Purchase of Defendant Vehicle

32. As stated above, Randall transferred funds into Defendant Account 3 (Randall's personal checking account) before making purchases. This occurred when Randall purchased the Defendant property identified as a 2022 Tesla Model Y with Vehicle Identification Number 7SAYGDEE3NF315820, with Texas license plate #RMN7286 (hereinafter referred to as Defendant Vehicle). On November 17, 2022, the ending balance of Defendant Account 3 was \$15,994.39. On November 18, 2021, Randall transferred \$55,000.00 from Defendant Account 1 to Defendant Account 3. On November 22, 2021, Randall made an electronic payment in the amount of \$58,277.25 to Tesla Motors from Defendant Account 3. Records obtained from Tesla confirmed that Randall purchased the Defendant Vehicle for \$58,377.25. Tesla records also confirmed that they received the \$58,277.25 payment from Randall for the purchase of the

Defendant Vehicle. Based on the fact that the funds used to purchase the Defendant Vehicle

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 32

Complaint *In Rem*
FOR FORFEITURE

originated from the Defendant Account 1, which was used to receive proceeds from customers totaling at least \$9,027,896.08, the Defendant Vehicle was purchased with proceeds from the scheme conducted by Randall to sell smuggled GS-441524.

33. On July 12, 2022, Judge Hallman authorized the seizure of the Defendant Vehicle. The Defendant Vehicle was seized on July 14, 2022, and transferred to the U.S. Marshals Service.

Flow of Funds to Defendant Account 5

34. Records were obtained for multiple brokerage accounts maintained by Randall at Charles Schwab. Included in the records are statements for Charles Schwab One Individual Account #1536-7988 in the name of Nicole Shelby Randall (Defendant Account 5). On September 2, 2021, Randall opened Defendant Account 5. On September 9, 2021, Randall transferred \$116,663.61 in securities, and on September 28, 2021 \$40,408.62 in cash from her Fidelity account #X90-59316. A review of records from the Fidelity account #X90-59316 shows the securities and cash in Randall's Fidelity account #X90-59316 was funded by two (2) transfers from Randall's Defendant Account 1 totaling \$150,000.

35. From September 16, 2021, to October 22, 2021, Randall sent ten (10) electronic transfers, each for \$100,000, totaling \$1 million to Defendant Account 5 from Defendant Account 1. On June 28, 2022, Randall sent two (2) electronic transfers, each for \$100,000, totaling \$200,000 to Defendant Account 5 from Defendant Account 1. In total, Randall transferred \$1,200,000 from Defendant Account 1 to Defendant Account 5.

36. Defendant Account 5 was also funded by other Charles Schwab accounts controlled by Randall. On December 20, 2021, \$25,000 was transferred from Charles Schwab account #5453-1575 in the name of Nicole Shelby Randall, TTEE, Feline Good Cat Services LLC 4 U/A DTD

1/1/2021 FBO N Randall (hereinafter referred to as Defendant Account 8) and two (2) transfers

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 33

Complaint *In Rem*
FOR FORFEITURE

totaling \$8,295.54 from Nicole Randall's Simplified Employee Plan account #9311-1347 (hereinafter referred to as Defendant Account 10). The funds in Defendant Accounts 8 & 10 originated from Defendant Account 1. Further review of the Defendant Account 5 brokerage statements from September 2, 2021, to July 31, 2022, indicates Randall invested a large portion of the funds in Defendant Account 5 into various investments offered by Charles Schwab, primarily securities. Defendant Account 5 also earned interest and dividends through the investments. The balance of Defendant Account 5 can increase or decrease based on the value of the investments and the amount of interest and dividends earned. As stated above, the funds deposited into Defendant Account 1 originated from the scheme to sell smuggled GS-441524. Based on the fact that the funds in Defendant Account 5 originated from Defendant Account 1, which was used by Randall to receive proceeds from customers totaling at least \$9,027,896.08, the brokerage account contains proceeds from sales of smuggled GS-441524.

37. On July 12, 2022, Judge Hallman authorized a seizure warrant Defendant Account 5. The seizure warrant was served on Charles Schwab on July 14, 2022. Charles Schwab froze the Defendant Account 5 with the balance of cash and securities valued at \$1,034,712.04. The value of the Charles Schwab account can increase or decrease based on the value of the securities held in the account.

Flow of Funds to Defendant Account 6

38. On October 6, 2021, Randall opened Charles Schwab One Individual Account #8422-0007 under her name (Defendant Account 6). On October 22, 2021, and November 4, 2021, Randall electronically sent \$100,000 on each day to her Defendant Account 6 from Defendant Account 1. Further review of the Defendant Account 6 brokerage statements from October 6, 2021 to July 31, 2022, indicates Randall invested the \$200,000 from Defendant Account 1 into

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 34

Complaint *In Rem*
FOR FORFEITURE

various investments offered by Charles Schwab, primarily securities. Defendant Account 6 also earned interest and dividends through the investments. The balance of Defendant Account 6 can increase or decrease based on the value of the investments and the amount of interest and dividends earned. Based on my review, no other funds were deposited into Defendant Account 6 other than the interest and dividends earned and the \$200,000 from Defendant Account 1. On July 31, 2022, the value of Defendant Account 6 was \$184,968.79. Based on the fact that the funds in the Defendant Account 6 originated from the Defendant Account 1, which was used by Randall to receive proceeds from customers totaling at least \$9,027,896.08, the brokerage account contains proceeds from sales of smuggled GS-441524.

Flow of Funds to Defendant Account 7

39. On October 15, 2021, Randall opened Charles Schwab One Individual Account #3516-7537 under her name (Defendant Account 7). On October 22, 2021, November 15, 2021, and November 23, 2021, Randall electronically sent \$100,000 on each day to Defendant Account 7 from Defendant Account 1. Further review of the Defendant Account 7 brokerage statements from October 15, 2021, to July 31, 2022, indicates Randall invested the \$300,000 from Defendant Account 1 into various investments offered by Charles Schwab, primarily securities. Defendant Account 7 also earned interest and dividends through the investments. The balance of Defendant Account 7 can increase or decrease based on the value of the investments and the amount of interest and dividends earned. Based on my review, no other funds were deposited into Defendant Account 7 other than interest and dividends earned and the \$300,000 from Defendant Account 1. On July 31, 2022, the value of Defendant Account 7 was \$268,587.23. Based on the fact that the funds in the Charles Schwab One Account #7537 originated from the

Defendant Account 1, which was used by Randall to receive proceeds from customers totaling at

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 35

Complaint *In Rem*
FOR FORFEITURE

least \$9,027,896.08, the brokerage account contains proceeds from sales of smuggled GS-441524.

Flow of Funds to Defendant Account 8

40. On October 5, 2021, Randall opened Defendant Account 8, previously identified as a Trust Account under the name of Nicole Shelby Randall, TTEE, Feline Good Cat Services LLC 4 U/A DTD 1/1/2021 FBO N Randall. Randall is listed as the Trustee of Defendant Account 8. On November 15, 2021, and on January 15, 2022, Randall electronically sent \$100,000 and \$2,000, respectively, totaling \$102,000 to the Defendant Account 8 from Defendant Account 1. Further review of the Defendant Account 8 brokerage statements from October 5, 2021, to July 31, 2022, indicates Randall invested some of the \$102,000 from Defendant Account 1 into various investments offered by Charles Schwab, primarily securities. Defendant Account 8 also earned interest and dividends through the investments. The balance of Defendant Account 8 can increase or decrease based on the value of the investments and the amount of interest and dividends earned. On December 20, 2021, Randall transferred \$25,000 from Defendant Account 8 to her Defendant Account 5. Based on my review, no other funds were deposited into Defendant Account 8 other than interest and dividends earned and the \$102,000 from Defendant Account 1. On July 31, 2022, the value of Defendant Account 1 was \$69,246.68. Based on the fact that the funds in the Defendant Account 8 originated from Defendant Account 1, which was used by Randall to receive proceeds from customers totaling at least \$9,027,896.08, the brokerage account contains proceeds from sales of smuggled GS-441524.

Flow of Funds to Defendant Account 9

41. On October 13, 2021, Randall opened Charles Schwab One Trust account #1757-0955 under the name of Nicole Shelby Randall, TTEE, Feline Good Cat Services LLC 4 U/A DTD

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 36

Complaint *In Rem*
FOR FORFEITURE

1/1/2021 FBO N Randall (hereinafter referred to as Defendant Account 9). Randall is listed as the Trustee of Defendant Account 9. From October 29, 2021, to March 2, 2022, Randall electronically sent \$28,740 to Defendant Account 9, all from Defendant Account 1. Further review of the Defendant Account 9 brokerage statements from October 13, 2021 to July 31, 2022, indicates Randall invested the \$28,740 from Defendant Account 1 into various investments offered by Charles Schwab, primarily securities. Defendant Account 9 also earns interest and dividends through the investments. The value of Defendant Account 9 can increase or decrease based on the value of the investments and the amount of interest and dividends earned. Based on my review, no other funds were deposited into Defendant Account 9 other than interest and dividends earned and the \$28,740 from Defendant Account 1. On July 31, 2022, the value of Defendant Account 9 was \$26,190.58. Based on the fact that the funds in the Defendant Account 9 originated from Defendant Account 1, which was used by Randall to receive proceeds from customers totaling at least \$9,027,896.08, the brokerage account contains proceeds from sales of smuggled GS-441524.

Flow of Funds to Defendant Account 10

42. On September 3, 2021, Randall opened Defendant Account 10 previously identified as a Simplified Employee Plan under the name of Nicole Shelby Randall. On September 13, 2021, Randall transferred \$27,114.30 in securities from Edward Jones account #896-85487-1-2 in her name to Defendant Account 10. On September 17, 2021 and September 27, 2021, Randall transferred a total of \$2,724.04 in cash from Edward Jones account #896-85487-1-2 to Defendant Account 10. I reviewed the records obtained for Edward Jones account #896-85487-1-2. Randall deposited \$27,250 into the Edward Jones account #896-85487-1-2 which originated from Defendant Account 1. Randall used the \$27,250 to make investments, primarily securities.

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 37
Complaint *In Rem*
FOR FORFEITURE

The Edward Jones account #896-85487-1-2 also earned interest and dividends through the investments. The only other deposit made into the Edward Jones account #896-85487-1-2, other than the \$27,250 in transfers from Defendant Account 1, interest, and dividends was a transfer in the amount of \$176.24 on September 13, 2021 from Charles Schwab #9311-1347. Based on the fact that the funds in the Randall's Edward Jones account #896-85487-1-2 originated from the Defendant Account 1, the account contained proceeds obtained from customers from sales of smuggled GS-441524 by Randall. The funds and securities in Randall's Edward Jones account #896-85487-1-2 were transferred to Defendant Account 10. Further review of the Defendant Account 10 brokerage statements from September 3, 2021 to July 31, 2022, indicates Randall continued to make various investments offered by Charles Schwab, primarily securities.

Defendant Account 10 also earned interest and dividends through the investments. The balance of Defendant Account 10 can increase and decrease based on the value of the investments and the amount of interest and dividends earned. Based on my review, no other funds were deposited into Defendant Account 10 other than interest and dividends earned, the \$27,114.30 in securities, and the \$2,724.04 in funds both from the Edward Jones account #896-85487-1-2. On July 31, 2022, the value of Defendant Account 10 was \$19,381.39. Based on the fact that the funds and securities in the Defendant Account 10 originated from Randall's Edward Jones account #896-85487-1-2 which ultimately was funded by transfers from the Defendant Account 1, which was used by Randall to receive proceeds from customers totaling at least \$9,027,896.08, the brokerage account contains proceeds from sales of smuggled GS-441524.

Purchase of 141 Brady Creek Way, Leander, Texas (Defendant Real Property 1)

43. The real property located at 141 Brady Creek Way, Leander, Texas, is further described as Lot 31, Block D, of CAUGHFIELD, PHASE 9, a subdivision in Williamson County, Texas

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 38

Complaint *In Rem*
FOR FORFEITURE

according to the map or plat thereof, recorded in Document Number 2019119008, of the Official Public Records of Williamson County, Texas. The parcel number is R589491. Title for property is held in the name of Nicole Randall. Hereinafter the property located at 141 Brady Creek Way, Leander, Texas will be referred to as Defendant Property 1.

44. On June 21, 2021, Randall purchased Defendant Property 1. The exact purchase price for Defendant Property 1 was not available. Randall did not obtain a mortgage to purchase this property. On June 21, 2021, Randall wired \$378,046.82 to Texas National Title, Inc. from Defendant Account 1. The description of the wire references “Escrow #T-149528”. Based on the General Warrant Deed filed with Williamson County, Texas for Defendant Property 1, Texas National Title acted as the title company for Randall’s purchase of Defendant Property 1. Based on my analysis, the \$378,046.82 wire sent by Randall on June 21, 2021 was for the purchase of Defendant Property 1. Because the funds used to purchase the Defendant Property 1 originated from the Defendant Account 1, which was used by Randall to receive proceeds from customers totaling at least \$9,027,896.08, Defendant Property 1 was purchased with proceeds from the scheme conducted by Randall to sell smuggled GS-441524.

Purchase of 1028 Arvada Drive, Leander, Texas (Defendant Real Property 2)

45. The real property located at 1028 Arvada Drive, Leander, Texas, is further described as Lot 16, Block G, SAVANNA RANCH, SECTION TWO FINAL PLAT, a subdivision in Williamson County, Texas, according to the map or plat recorded in Document No. 2014050918, of the Official Public Records of Williamson County, Texas. The parcel number is R528882. Title for the property is held in the name of Nicole Randall. Hereinafter the property located at 1028 Arvada Drive, Leander, Texas will be referred to as Defendant Property 2.

46. On July 27, 2021, Randall purchased Defendant Property 2 for \$420,000. Randall did not obtain a mortgage to purchase this property. On July 16, 2021, Randall wired \$5,500 to Austin Title Company from the Defendant Account 1. The description of the wire references “Aut21011222/ 1028 Arvada Dr., Leander”. On July 27, 2021, Randall wired \$409,821.66 to Austin Title Company from the Defendant Account 1. The description of the wire references “Aut21011222. Records obtained from Austin Title Company confirms that the \$5,500 and \$409,821.66 wires sent by Randall on July 16, 2021, and July 27, 2021, respectively, were for the purchase of Defendant Property 2. Because the funds used to purchase the Defendant Property 2 originated from the Defendant Account 1, which was used by Randall to receive proceeds from customers totaling at least \$9,027,896.08, Defendant Property 2 was purchased with proceeds from the scheme conducted by Randall to sell smuggled GS-441524.

Purchase of 910 Alamo Plaza Drive, Cedar Park, Texas (Defendant Real Property 3)

47. The real property located at 910 Alamo Plaza Drive, Cedar Park, Texas, is further described as Lot 1; Block 60, Cedar Park Towncenter, Section VIII, an addition in Williamson County, Texas, According to the map or plat recorded in Cabinet GG, Slide S161-165, Plat Records, Williamson County, Texas. The parcel number is R506041. The title is held in the name of Nicole Randall, Trustee of The Randall Family Living Trust, dated August 17, 2021. Hereinafter the property located at 910 Alamo Plaza Drive, Cedar Park, Texas will be referred to as Defendant Property 3.

48. On May 25, 2018, Randall purchased Defendant Property 3. The exact purchase price for Defendant Property 3 was not available. According to the Deed of Trust filed with Williamson County, Texas, Randall obtained a loan in the amount of \$273,600 from Ark-La-Tex Financial Services, LLC dba Benchmark Mortgage for the purchase of Defendant Property 3. On August

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 40

Complaint *In Rem*
FOR FORFEITURE

18, 2021, Randall transferred title of Defendant Property 3 to the Nicole Randall, Trustee of The Randall Family Living Trust, dated August 17, 2021. On August 17, 2021, Randall formed The Randall Family Living Trust. Randall is listed as the Trustee and sole life beneficiary of the trust.

49. Bank records obtained during the investigation for the period of January 2020 to August 15, 2022, indicates that Randall was making monthly mortgage payments to Wells Fargo Home Mortgage in amounts ranging from \$2,113.89 to \$2,134.10 from her bank accounts. This continued until the last monthly payment on September 24, 2021. On October 5, 2021, Randall wired \$259,348.72 to Wells Fargo Home Mortgage from her Defendant Account 3. The wire referenced “Nicole Randall – 910 Alamo Plaza DR- Loan #0561199779”. According to a Release of Lien filed with Williamson County, Texas, Wells Fargo Home Mortgage released Randall from loan #0561199779 in the original \$273,600, secured by the Deed of Trust executed by Randall with Ark-La-Tex Financial Services, LLC DBA Benchmark Mortgage for the purchase of Defendant Property 3. Based on this evidence, I concluded that Randall wired \$259,348.72 to Wells Fargo Home Mortgage to pay off the mortgage for Defendant Property 3. The funds used for the payoff the Wells Fargo Home Mortgage loan for Defendant Property 3 originated from Defendant Account 1, which was used by Randall to receive proceeds from customers totaling at least \$9,027,896.08, the loan for Defendant Property 3 was paid with proceeds from the scheme conducted by Randall to sell smuggled GS-441524.

Purchase of 3405 Rain Forest Drive, Austin, Texas (Defendant Real Property 4)

50. The real property located at 3405 Rain Forest Drive, Austin, Texas, is further described as Lot 2, Block E, Woodhaven, according to the map or plat thereof, recorded in Volume 76, Page 132, Plat Records, Travis County, Texas. The parcel number is 106079. Title is held in the name of Nicole Randall, Trustee of The Randall Family Living Trust, dated August 17, 2021.

Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 41

Complaint *In Rem*
FOR FORFEITURE

Hereinafter the property located at 3405 Rain Forest Drive, Austin, Texas will be referred to as Defendant Property 4.

51. On March 15, 2022, Randall purchased Defendant Property 4 for \$2,875,000 in the name of Nicole Randall, Trustee of The Randall Family Living Trust. On August 17, 2021, Nicole Randall formed The Randall Family Living Trust. Randall is listed as the Trustee and sole life beneficiary of the trust. Randall obtained a mortgage from First United Bank & Trust Company for \$2,156,250 for the purchase of Defendant Property 4.

52. On January 31, 2022, Randall wired \$29,750 from her Defendant Account 3 to Independence Title as a down payment towards the purchase of Defendant Property 4. On March 11, 2022, Randall wired \$722,697.64 from her Defendant Account 3 to Independence Title as a down payment towards the purchase of Defendant Property 4. The funds used for the down payments made to Independence Title for the purchase of Defendant Property 4 originated from Defendant Account 1, which was used by Randall to receive proceeds from customers totaling at least \$9,027,896.08. Defendant Property 3 was purchased with proceeds from the scheme conducted by Randall to sell smuggled GS-441524.

Purchase of 3927 Castleman Avenue, St. Louis, Missouri (Defendant Real Property 5)

53. The real property located at 3927 Castleman Avenue, St. Louis, Missouri, is further described as, The Eastern 33 feet 4 inches of Lot No. 23 in Block No. 17 of TYLER PLACE and in Block No. 4944 of the City of St. Louis, fronting 33 feet 4 inches on the North line of Castleman Avenue, by a depth Northwardly of 121.89 feet. The parcel number is 49440002500. Title is held in the name of Lone Star Homes, LLC. Hereinafter 3927 Castleman Avenue, St. Louis, Missouri will be referred to as Defendant Property 5.

54. On September 21, 2020, Randall through Lone Star Homes, LLC purchased Defendant Property 5 for \$180,000. Evidence obtained, indicates that Randall is the owner of Lone Star Homes, LLC.

55. On August 25, 2020, Nicole Randall wired \$5,000 from her Amplify Credit Union account #445702209 to Freedom Title as a down payment towards the purchase of Defendant Property 5. The additional instructions for the wire stated, "3927 Castleman". On September 21, 2020, Randall wired \$41,783.88 as a down payment to Freedom Title from her Amplify Credit Union account #5000000201257 for the purchase of Defendant Property 5. The additional instructions for the wire stated, "3927 Castleman Avenue". Records obtained from Freedom Title confirmed that the down payments were for the purchase of Defendant Property 5. Randall, acting as Lone Star Homes, LLC, obtained loan #34113503 in the amount of \$144,000 from Lending Home Funding Corporation for the purchase of Defendant Property 5. Randall through Lone Star Homes, LLC received an additional \$100,000 loan from Lending Home Funding Corporation to be used for construction projects for Defendant Property 5.

56. I reviewed documents provided by Kiavi for the investigation. Lending Home Funding Corporation changed their name to Kiavi. Lone Star Homes, LLC borrowed \$38,750 of the \$100,000 construction loan amount to use for construction projects for Defendant Property 5. Lone Star Homes, LLC was scheduled to make monthly mortgage payments to Lending Home Funding Corporation starting on November 1, 2020, in the amount of \$1,830. From November 2020 to September 2021, Randall made monthly payments to Lending Home Funding Corporation in the amount of \$1,830 from Defendant Account 4. On September 14, 2021, Randall wired \$183,599 to Lending Home Funding Corporation to pay off the loan #34113503 for Defendant Property 5 from Defendant Account 4. Based on my analysis, I concluded that the

Declaration of Special Agent Hilary Rickher

\$41,783.88 wire sent to Freedom Title for the down payment for the purchase of Defendant Property 5 contained proceeds received from customers for selling smuggled GS-441524. Likewise, the funds used to pay off the loans for Defendant Property 5 originated from Defendant Account 1, which was used by Randall to receive proceeds from customers totaling at least \$9,027,896.08, the loan for Defendant Property 5 was paid with proceeds from the scheme conducted by Randall to sell smuggled GS-441524.

CONCLUSION

57. Since approximately September 2019, Nicole Randall and others have been conducting a scheme to smuggle GS-441524, a drug not approved by FDA for any use in humans or animals, from Hong Kong and China into the United States for the purpose of selling the drugs to customers throughout the United States, including in Oregon. This smuggling is accomplished, in part, by using misleading and deceptive packaging of the vials and customs declarations that is designed to conceal the true nature of the contents of the parcels, in violation of 18 U.S.C. § 545. Through the private Facebook Group, “FIP Warriors 5.0,” Randall and others have marketed the drug for treatment of FIP, for which no drug has received FDA approval. Despite having no veterinary or prescriber licenses, Randall and others have “diagnosed” cats and kittens with FIP and told the pet owners to purchase a product they claimed would cure the disease. Randall and others direct pet owners to pay them for the product via PayPal, CashApp, Zelle, and other mobile payment methods that are directly associated with Randall. The products are then shipped to customers from Randall’s residence in Cedar Park, Texas, to various cities throughout the United States, including to Portland, Oregon, and to foreign countries. Randall then transfers the payments for GS-441524 from her mobile payment applications to an account she controls, JP

Morgan Chase Platinum Business Checking Account #739266994 (Defendant Account 1) in the
Declaration of Special Agent Hilary Rickher

EXHIBIT A PAGE 44

Complaint *In Rem*
 FOR FORFEITURE

name of Feline Good Cat Services, LLC. The funds are then funneled into Defendant Bank and Brokerage Accounts controlled by Randall, specifically: JP Morgan Chase Accounts and Charles Swab Accounts. Between January 1, 2020, and July 22, 2022, Randall's customer receipts totaled at least \$9,581,781.61.

58. Based on the information contained in this declaration and the investigation to date, there is probable cause to believe, and I do believe that the funds described above, seized from and held in Defendant Accounts 1-10; the Defendant Vehicle; and Defendant Real Properties 1-5, are property, real or personal, which constitutes or is derived from proceeds traceable to smuggling violations of Title 18, United States Code, Section 545, and are therefore subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C).

59. I have presented this declaration to Assistant United States Attorney Katie de Villiers who has advised me that in her opinion, the proposed complaint is supported by probable cause.

I declare under penalty of perjury that the foregoing is true and correct pursuant to 28 U.S.C. § 1746.

Executed this 29th day of March 2023.

/s/ Hilary Rickher
HILARY RICKHER
Special Agent
U.S. Food and Drug Administration –
Office of Criminal Investigations (FDA-OCI)